

STATE OF VERMONT  
PUBLIC SERVICE BOARD

CPG #NM-378

Revised application of Birch Hill Investments, Inc.,     )  
for a certificate of public good for an interconnected     )  
net metered photovoltaic electrical power system         )

Order entered: 8/22/2007

**I. INTRODUCTION**

This case involves a revised application filed by Birch Hill Investments, Inc. ("Applicants"), on July 31, 2007, requesting a certificate of public good ("CPG"), pursuant to 30 V.S.A. §§ 219a and 248 and Vermont Public Service Board ("Board") Rule 5.100, for a net metering system. The net metering system consists of a photovoltaic system to be located in South Woodstock, Vermont.

On March 26, 2007, the Applicant filed an application to amend an existing net metered system. On April 4, 2007, the Board issued an Order and Amended CPG (#NM-171) to reflect the enlargement of the existing system. However, on July 24, 2007, Central Vermont Public Service Corporation ("CVPS") filed a letter with the Board indicating that the newly installed system was separately metered from the existing net metered system and, therefore, required approval as a new system and not as an expansion of the existing system. Subsequently, on July 31, 2007, the Applicant filed a revised application for a new separately-metered system to be located on the Applicant's newly-constructed Riding Arena.

Applicant informed the Board that on March 21, 2007, notice of the application had been sent to all parties as specified in the Board's Rule 5.100. The notice stated that any party wishing to submit comments or request a hearing in this matter needed to file comments with the Board within ten (10) working days of the date that the notice of the application was sent.

No comments have been received from any other parties or interested persons.

The Board has reviewed the application and accompanying documents and agrees that, pursuant to 30 V.S.A. §§ 219a and 248 and the Board's Rule 5.100, a CPG should be issued without further investigation or hearing.

## **II. FINDINGS**

Based upon the application and its accompanying documents, the Board makes the following findings in this matter.

1. The proposed net metering project will be on property owned by the Applicant and located at 5904 The Loop in South Woodstock, Vermont. Application at Section 1.
2. The proposed net metering facility is to be erected on an existing structure. Application at Section 4.
3. The proposed project consists of a photovoltaic electrical generation system with a system rated output of 8.55 kW AC. The facility will be interconnected with the CVPS electrical distribution system. Application at Section 4 and attachment.
4. Applicant has certified that the project is in compliance with all of the provisions of Section 3 of the application. Based on these submissions, we conclude that the project does not raise a significant issue with respect to the environmental criteria of 30 V.S.A. § 248. Application at Section 3.
5. Applicant has certified compliance with the insurance requirements as set forth in Section 3 of the application. Application at Section 3.

## **III. CONCLUSION**

In Docket No. 6181,<sup>1</sup> the Board developed a net metering program in accordance with the statutory requirements of 30 V.S.A. § 219a. This program was further refined by the Board with the adoption of Board Rule 5.100 on March 1, 2001. The goals of the Order and Rule are to encourage private investment in renewable energy resources, stimulate the economic growth of the state and enhance the continued diversification of energy sources used in Vermont. The standards and requirements adopted in the Order and Rule have been determined by the Board to protect public safety and system reliability.

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1. *Investigation into the Use of A Net Metering System for the Purchase and Sale of Electricity from Small Electrical Generating Systems to and from Electric Companies*, Docket No. 6181, April 21, 1999.

Based upon the findings and evidence, the proposed net metering project will be in compliance with the requirements of the Board's Order in Docket No. 6181 and Rule 5.100, the application does not raise a significant issue with respect to the substantive criteria of 30 V.S.A. § 248, and the proposed project will promote the general good of the state.

In addition, because the Applicant has indicated that the net metered system is separate from the Applicant's existing net metered system, the April 4, 2007, Order and CPG approving an amendment to the existing system are no longer necessary and are, therefore, rescinded. The Board's July 1, 2005, Order and CPG approving the existing system (CPG #NM-171) are still valid and all conditions and requirements in that Order and CPG continue to apply to the existing net metered system.

#### **IV. ORDER**

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Public Service Board of the State of Vermont that the photovoltaic net metering system proposed by Birch Hill Investments, Inc. (for its Riding Arena) to be located in South Woodstock, Vermont, in accordance with the evidence and plans submitted in this proceeding, will promote the general good of the State of Vermont pursuant to 30 V.S.A. § 219a, and a certificate of public good to that effect shall be issued in this matter, pursuant to 30 V.S.A. §§ 219a and 248. The Board's Order and CPG approving an amendment to CPG #NM-171 are, for the reasons stated above, rescinded.

DATED at Montpelier, Vermont, this 22nd day of August, 2007.

<u>s/James Volz</u>	)	
	)	PUBLIC SERVICE
	)	
<u>s/David C. Coen</u>	)	BOARD
	)	
	)	OF VERMONT
<u>s/John D. Burke</u>	)	

OFFICE OF THE CLERK

Filed: August 22, 2007

Attest: s/Susan M. Hudson  
Clerk of the Board

*NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)*

*Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.*